

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MCCLURKEN ET AL. Examiner: UNKNOWN  
Serial No.: 10/813,736 Group Art Unit: 3732  
Filed: MARCH 30, 2004 Docket: 13045.41USW1  
Confirmation No.: 8083  
Title: FLUID-ASSISTED MEDICAL DEVICES. SYSTEMS AND METHODS

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 20, 2004.

By: *Rebecca Ralls*  
Name: Rebecca Ralls

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Information Disclosure Statement, Form 1449, 2 Reference(s)
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: *Mara E. Liepa*  
Name: Mara E. Liepa  
Reg. No.: 40,066  
MELIEPA:rlr



CRS/N 10/813,736

PATENT

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By: Rebecca Ralls  
Name: Rebecca Ralls

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

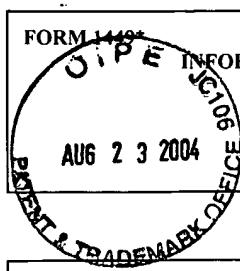
MERCHANT & GOULD P. C  
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Minneapolis, Minnesota 55402-0903  
(612) 371-5222

Date: Aug 20, 2004

By Mara E. Liepa  
Mara E. Liepa  
Reg. No. 40,066  
MEL:rlr

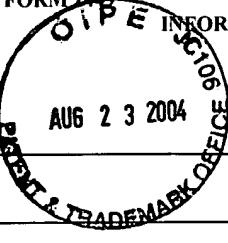
**23552**

PATENT TRADEMARK OFFICE

 <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13045.41USW1	Application Number: 10/813,736
	Applicant: MCCLURKEN ET AL.	
	Filing Date: 03/30/2004	Group Art Unit: Unknown

<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,037,590	07/26/1977	Dohring et al.			
	4,307,720	12/29/1981	Weber, Jr.			
	4,920,982	05/01/1990	Goldstein			
	5,035,696	07/30/1991	Rydell			
	5,242,441	09/07/1993	Avitall			
	5,242,442	09/07/1993	Hirshfield			
	5,269,781	12/14/1993	Hewell, III			
	5,313,943	05/24/1994	Houser et al.			
	5,395,363	03/07/1995	Billings et al.			
	5,417,672	05/23/1995	Nita et al.			
	5,487,385	01/30/1996	Avitall			
	5,564,440	10/15/1996	Swartz et al.			
	5,575,810	11/19/1996	Swanson et al.			
	5,640,955	06/24/1997	Ockuly et al.			
	5,676,662	10/14/1997	Fleischhacker et al.			
	5,687,723	11/18/1997	Avitall			
	5,718,241	02/17/1998	Ben-Haim et al.			
	5,718,701	02/17/1998	Shai et al.			
	5,722,400	03/03/1998	Ockuly et al.			
	5,730,127	03/24/1998	Avitall			
	5,797,960	08/25/1998	Stevens et al.			
	5,800,413	09/01/1998	Swartz et al.			
	5,823,956	10/20/1998	Roth et al.			
	5,855,614	01/05/1999	Stevens et al.			
	6,241,754	06/05/2001	Swanson et al.			
	2004/0019350	01/29/04	O'Brien et al.			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

 FORM 1449 O I P E INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) AUG 23 2004 TRADEMARK OFFICE 9010	Docket Number: 13045.41USW1	Application Number: 10/813,736
	Applicant: MCCLURKEN ET AL.	
	Filing Date: 03/30/2004	Group Art Unit: Unknown

FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
	JP 57-117843	07/22/1982	Japan			<input type="checkbox"/>
	WO 2004/039416	05/13/2004	PCT			<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						

23552

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